

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

OZARK CONVENIENCE MART, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:05CV1943 RWS
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

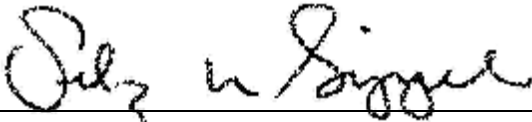
It is the Government's position that the factual record is fully developed and that I have the authority under 7 U.S.C. § 2023(a)(16) to enter a judgment resolving this case in accordance with the law and the undisputed evidence. Plaintiff has not responded to the Government's position.

It appears that the material facts in this case are undisputed. As a result, Plaintiff shall advise the Court whether it believes material facts are in dispute and whether it believes a trial is necessary in this case. Unless Plaintiff agrees with the Government's position, it shall show cause in writing why a trial is necessary in this case.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff shall show cause in writing and **no later than April 10, 2006**, why a trial is necessary in this case.

Dated this 31st day of March, 2006.



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE